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REMARKS

Claims 1-18 are canceled, and claims 19-38 are added, thereby leaving claims 19-38 pending. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks herein.

Claim Rejections – 35 U.S.C. § 103

Claims 1-5, 7-14, and 16-18 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent 6,963,839 ("Ostermann") in view of U.S. Patent 5,983,190 ("Trower"). Claims 6 and 15 stand rejected under 35 U.S.C. § 103(a) as being obvious over Ostermann in view of Trower and U.S. Patent 6,507,811 ("Phillips"). Each of the rejected claims is presently canceled. Accordingly, Applicants respectfully request that the rejections be withdrawn.

New Claims

New claims 19-38 are supported by the original disclosure and each include features not disclosed by the cited references. Accordingly, Applicants respectfully request that the claims be allowed.

Among the claim features not disclosed by the references is "a speech attribute defining whether the speech elements are to be sequentially or randomly provided" and "a portion of the textual content data being dynamically derived from an item selected by the user in a current application session," as recited by independent claims 19, 28, and 33.

The references do not disclose "a speech attribute defining whether the speech elements are to be sequentially or randomly provided."

In contrast, Ostermann teaches a method of creating animated voicemails using a text message composed by a user. Osterman, abstract. The animation includes spoken text, and to the voice speaking the text is adjusted based on emoticons that the user inserts into the text message. ID. Osterman's method does not include speech elements that are randomly provided, as the text to be spoken is composed by the user sending the message. Therefore, of sermons method does not include a speech attribute defining whether speech elements are

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to be sequentially or randomly provided, as the composed text is only read in the order in which it is composed.

Trower, on the other hand, does disclose randomly selecting among candidate animation sequences (Trower, column 14, lines 54-59; and column 33, lines 64-66), but the random selection is not among speech elements. Trower generally discloses a system for generating an animated user interface in the form of a character that interacts with the user. Trower, abstract. In the course of forming the animation, Trower uses branching logic to select animated sequences. Trower, column 14, lines 46-60. "To determine which branch to take, the animation system generates a random number between one and 100 and start searching sequentially through the frame branches until it finds a branch is maximum probability is less than or equal to the random number". Trower, column 14, lines 54-58. Notably, Trower's system randomly selects among frames of animation, but not among speech elements that are to be randomly provided. Indeed, Trower does teach string expressions with optional words and alternative strings, but notably, Trower does not teach randomly selecting among these alternatives or options. Trower, column 28, lines 13-18. Accordingly, because Trower does not teach randomly selecting among speech elements, Trower cannot disclose a speech attribute defining whether speech elements are to be sequentially or randomly provided, as recited by the independent claims. Therefore, Trower does not teach all of the features of the claims.

Phillips teaches a method of automatically manipulating text in "ways that some people find to be highly amusing." Phillips, abstract. To form the output text, the Phillips's system converts an input adjective into a synonym. Phillips, column 6, lines 49-52. The synonym is selected from among "a list of pre-specified adjectives which are stored in a table." ID. The selection is random. Phillips, column 6, lines 58-63.

Phillips, however, does not teach that the synonyms are to be sequentially provided. Indeed, sequentially reciting synonyms would produce nonsense rather than the highly amusing effect targeted by Phillips system. Accordingly, Phillips does not teach a speech attribute defining whether speech elements are to be sequentially or randomly provided, as Phillips does not teach sequentially providing speech elements. Therefore, Phillips does not teach all of the features of the present claims.

This is not the only missing feature. The references also do not disclose "a portion of the textual content data being dynamically derived from an item selected by the user in a current application session," as recited by independent claims 19, 28, and 33.

As explained above, Ostermann teaches a method of converting a text message into an animated message. Accordingly, incorporating dynamic aspects into the textual content data would interfere with expressing the user's message. One of ordinary skill in the art would not convey a message by first changing the message, and a user would not try to send a message that includes variable elements to be filled in by Ostermann's system. Indeed, the sender would not even know what message they were sending.

Ostermann does teach that the user selects emoticons, but it these are different from the textual content data. "The voice of emoticons may relate to features such as voice stress, volume, pauses, a motion, yelling, or whispering." Osterman, abstract. "Emoticons 103 in the message are translated into their corresponding facial expressions such as smiles and nods." Osterman, column 8, lines 24-26. In Ostermann, the emoticons are used to change non-text content, such as voice stress and facial expressions, rather than the actual text being spoken. Accordingly, the emoticons selected by the user are not used to dynamically derived textual content data, and Ostermann does not teach all of the features of the present claims.

Trower's system identifies the text to be spoken through the "Speak (text string)" command that is received from the client. Trower, column 2, lines 53-55. Trower teaches that the text to be spoken is itself received from the client, rather than deriving textual content data dynamically from the user selections. In other words, Trower treats the text to be spoken as an input rather than as data formed from other inputs such as item selected by the user. Accordingly, Trower does not teach that a portion of the textual content data is dynamically derived from an item selected by the user in a current application session.

Phillips does not even teach user selection of items and, therefore, do not teach dynamically deriving other data from user selected items. As described above, Phillips discloses a system for manipulating text by automatically replacing words or phrases with other words or phrases. The replacement is not based on items selected by the user, but is based on an age of the user (column 4, line 10) or a name and an adjective (column 5, lines 41-44). The entries are not items selected by user; they are values entered by a user. The

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user is not selecting among a group of items. The user is composing text. Accordingly, Phillips does not teach that the user selects an item or that textual content data is dynamically derived from a user selection.

In view of these missing features, the cited references cannot teach or suggest all of the features of independent claims 19, 25, or 33. It follows that these claims and their dependent claims are allowable over the cited references. Accordingly, applicants respectfully request allowance of newly added claims 19-38.

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CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reason for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to amendment. Applicants respectfully request consideration of all filed IDS' not previously considered, by initialing and returning each Form 1449.

No charges are believed due. However, if any fees are due, they are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply all charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 13909-0145001.

Respectfully submitted,

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